



General Assembly

January Session, 2013

**Committee Bill No. 5072**

LCO No. 1077

\*01077HB05072INS\*

Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:  
(INS)

**AN ACT CONCERNING AUTOMOTIVE GLASS WORK.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-354 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2014*):

3 (a) No [automobile] motor vehicle physical damage appraiser shall  
4 require that appraisals, [or] repairs or automotive glass work should or  
5 should not be made in or by a specified facility, [or] repair shop or  
6 [shops] glass shop.

7 (b) No insurance company doing business in this state, or agent or  
8 adjuster for such company shall (1) require any insured to use a  
9 specific person for the provision of [automobile] motor vehicle (A)  
10 physical damage repairs, [automobile] or (B) glass replacement, glass  
11 repair service or glass products, or (2) state that choosing a facility  
12 other than a motor vehicle repair shop or glass shop participating in a  
13 motor vehicle repair or an automotive glass work program established  
14 by such company will result in delays in repairing the motor vehicle or  
15 glass or a lack of guarantee for repair work.

16 (c) Any appraisal or estimate for a motor vehicle physical damage  
 17 claim written on behalf of an [insurer] insurance company shall  
 18 include the following notice, printed in not less than ten-point boldface  
 19 type:

20 NOTICE:

21 YOU HAVE THE RIGHT TO CHOOSE THE LICENSED REPAIR  
 22 SHOP WHERE THE DAMAGE TO YOUR MOTOR VEHICLE WILL  
 23 BE REPAIRED.

24 (d) (1) If there is oral communication between a glass claims  
 25 representative for an insurance company doing business in this state or  
 26 a third-party claims administrator for such company and an insured  
 27 regarding motor vehicle glass repair service or glass products, in the  
 28 initial contact with the insured, such representative or claims  
 29 administrator shall state to the insured a statement substantially  
 30 similar to the following: "You have the right to choose a licensed glass  
 31 shop where the damage to your motor vehicle will be repaired. If you  
 32 have a preference, please tell us now."

33 (2) No glass claims representative for an insurance company doing  
 34 business in this state or a third-party claims administrator for such  
 35 company shall provide an insured with the name of or direct an  
 36 insured to a licensed glass shop that is owned by (A) such company,  
 37 (B) such claims administrator, or (C) the same parent company as such  
 38 insurance company or claims administrator, unless such representative  
 39 or claims administrator provides the insured with the name of at least  
 40 one additional licensed glass shop in the area where the motor vehicle  
 41 glass is to be repaired or replaced.

|   |                 |         |
|---|-----------------|---------|
| This act shall take effect as follows and shall amend the following sections: |                 |         |
| Section 1   | January 1, 2014 | 38a-354 |

**Statement of Purpose:**

To require an insurance company doing business in this state, or agent, adjuster or third-party claims administrator for such company to provide additional disclosures to an insured regarding such insured's right to choose a licensed repair shop or glass shop where such insured's motor vehicle physical damage or automotive glass work will be performed.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. DILLON, 92nd Dist.

H.B. 5072